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UNITED STATES DISTRICT COURT  
DISTRICT OF ALASKA

UNITE HERE NATIONAL RETIREMENT FUND, LONDON PENSIONS FUND AUTHORITY and JEFFREY PICKETT, Derivatively on Behalf of BP P.L.C., BP AMERICA, INC., BP OIL CO. INC. and BP EXPLORATION (ALASKA) INC., ) No. 3:06-cv-00239-RRB ) STIPULATION FOR EXTENSION OF TIME ) TO RESPOND TO DEFENDANTS' MOTION ) TO DISQUALIFY COUNSEL AND ) [PROPOSED] ORDER THEREON ) ) Plaintiffs, ) ) vs. ) ) THE LORD JOHN BROWNE OF MADINGLEY, et al., ) ) Defendants, ) ) – and – ) ) BP P.L.C., et al., ) ) Nominal Defendants. ) ) \_\_\_\_\_ )

WHEREAS this shareholder derivative action was commenced on October 2, 2006, in the Superior Court for the State of Alaska, Third Judicial District at Anchorage (“Alaska State Court”);

WHEREAS nominal party BP America Inc. (later joined by all defendants and all other nominal parties) removed this action to this Court on October 24, 2006;

WHEREAS the Court entered a stipulated order on October 31, 2006, deferring the filing of defendants’ responses to the action and anticipated motions to dismiss, stay and/or to transfer until plaintiffs’ anticipated remand motion is decided;

WHEREAS on November 17, 2006, defendants filed a motion to disqualify James E. Fosler as counsel for plaintiffs (the “Disqualification Motion”);

WHEREAS on November 22, 2006, plaintiffs moved to remand this action back to Alaska State Court (the “Remand Motion”); and

WHEREAS the briefing on the Remand Motion is not complete but the parties agree the Disqualification Motion should be decided by the court which ultimately assumes jurisdiction over the action;

THE PARTIES, through their respective counsel, hereby stipulate as follows and seek the Court’s approval that:

1. Defendants’ Disqualification Motion (Docket No. 33) be held in abeyance until after the Court decides plaintiffs’ Remand Motion (Docket No. 36).
2. If the Court denies plaintiffs’ Remand Motion and retains jurisdiction, plaintiffs shall have 10 days from the date of the Court’s order to respond to the Disqualification Motion.

3. If the Court grants the Remand Motion and the case is transferred back to the Alaska State Court, defendants may re-file their Disqualification Motion in the Alaska State Court.

IT IS SO STIPULATED.

DATED: December 4, 2006

FELDMAN ORLANSKY & SANDERS  
JEFFREY M. FELDMAN  
Alaska Bar No. 7605029

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/s/ Jeffrey M. Feldman  
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DATED: December 4, 2006

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Alaska Bar No. 9711055

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**O R D E R**

IT IS SO ORDERED.

DATED: \_\_\_\_\_

\_\_\_\_\_  
THE HONORABLE RALPH R. BEISTLINE  
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 4<sup>th</sup> day of December 2006 a true and correct copy of this document was served by electronic means through the ECF system on all counsel who have entered an appearance in this case.

By: /s/ James E. Fosler  
James E. Fosler, ABA #9711055  
Fosler Law Group, Inc.